

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**NEW YORK STATE TEAMSTERS  
CONFERENCE PENSION AND  
RETIREMENT FUND, et al.,**

**Plaintiffs,**

**vs.**

**CASE NUMBER: 5:05-CV-1395 (NAM/GJD)**

**LINDEN MOTOR FREIGHT CO., INC.**

**Defendants.**

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Report-Recommendation is hereby approved; and it is further

ORDERED AND ADJUDGED that Judgment is entered in favor of Plaintiffs and against Defendant Linden Motor Freight Co., Inc. as follows:

- A. 54 outstanding withdrawal liability interim payments through December 19, 2008, each in the amount of \$98,363.41 pursuant to 29 U.S.C. §§ 1399(c)(2) & (5) totaling \$5,311,624.14; plus
- B. 11% annual interest on each outstanding interim payment through December 19, 2008, pursuant to 29 U.S.C. §§1132 (g)(2)(B) & (E) totaling \$1,338,971.85; plus
- C. Additional interest ("double interest" calculation) pursuant to 29 U.S.C. §§1132(g)(2)(C)(i) totaling \$1,338,971.85 for a total judgment of \$7,989,567.70; and it is further

ORDERED AND ADJUDGED that the plaintiffs' motion for a permanent injunction is granted and defendant is directed to remit all future payments from December 19, 2008, in the amount of \$ 98,363.41 per month, with a final payment on December 19, 2010 of \$76,354.19, pursuant to 29 U.S.C. §§ 1399(c)(2) and (5).

All of the above pursuant to the order of the Honorable Judge Norman A. Mordue, dated

the 19<sup>th</sup> day of December, 2008.

DATED: December 19, 2008

  
Clerk of Court

/s

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L. Welch  
Deputy Clerk